

AN ORATION

DELIVERED ON THE

FOURTH OF JULY,

AT

PRINCETON, NEW JERSEY.

BY COL. JAMES C. ZABRISKIE.

PRINCETON:
PRINTED BY JOHN T. ROBINSON.

1843.

PRINCETON, July 14, 1843.

SIR—

The undersigned Committee, appointed by the citizens of Princeton to select an orator, tender to you their respectful acknowledgments for the very able and appropriate discourse delivered on the 4th inst., and request that you would add to the obligation already conferred, by furnishing a copy of the address for publication.

Respectfully, yours,

J. A. PERRINE,
T. A. DWIGHT,
ABM. J. DUMONT, } *Committee.*

To Col. J. C. ZABRISKIE.

NEW BRUNSWICK, July 28, 1843.

GENTLEMEN—

Your flattering note dated the 14th inst. would have been replied to before, but for my absence from home. I yield to your "request" because you desire it, and not from any appreciation on my part of the intrinsic merit of the address.

Yours, very respectfully,

J. C. ZABRISKIE.

To Messrs. J. A. PERRINE,
T. A. DWIGHT,
ABM. J. DUMONT, } *Committee.*

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ORATION.

FELLOW-CITIZENS :

The purpose of our assembling on this occasion is to consecrate an hour to the holy cause of freedom : to review the events of the past, and ascertain their influence on the present and the future : to rehearse the glorious deeds of our illustrious progenitors, and thus learn the value of their achievements and the power they have exerted upon the destiny of the whole world. It is not so much of the victories achieved by our fathers during the sanguinary struggle of the Revolution that we would boast—although we would not neither can we *ever* forget or lightly regard the virtues and valor of that constellation of patriots, which surpass the brightest examples of Sparta, Greece and Rome. But we point with pride to the peaceful triumph of principles exhibited in the organization of a government such as the world had never before witnessed. Until the adoption of our constitutions, all governments previously existing had been established by force, cemented by blood, and preserved by physical power. It was reserved for the patriarchs of true freedom, in this western world, to exhibit the superior power of moral influence, and to illustrate the sublime maxim “that all men are created equal.”

With the view the better to enable us to appreciate the true character and value of our institutions, we propose briefly to examine and contrast them with the British system, which has been denominated “the most stupendous fabric ever wrought by human wisdom.” From the coronation of William of Normandy to the declaration of our independence, 710 years intervened. During the whole of that period, the principles and forms that constitute the British Constitution

were gradually accumulated and moulded into form. It required all the wisdom of the sages and patriots of Britain, during a period of more than seven centuries, to construct the political edifice of that distinguished empire. And who can estimate the amount of oppression and suffering that were endured by her devoted people during that extended period. By the theory of the British Constitution the royal authority of the crown consists in appointing all public functionaries whatever. In making all treaties, leagues, and alliances with foreign powers—all of which are binding upon the nation; in declaring war and making peace; in summoning Parliament by writ, (without which it cannot assemble,) and controlling its action by the veto power and the creation of peers. The King rules by divine right, and can do no wrong. The Parliament is omnipotent.

Whatever concessions may have been made from time to time by the crown, resulting from apprehended insurrections, produced by oppression, it is clear that all the powers of the government are vested in the crown and parliament. And as all history proves that the crown controls parliament at its will, the power is therefore ipso facto in the crown. Dr. Paley thus sums up the character of the British Constitution. "In Great Britain the system of public jurisdiction is composed of acts of parliament, of decisions of courts of law and of immemorial usage." We will now examine the Constitution of the United States, the preamble to which reads as follows:—"We the people of the United States in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." Here for the first time, in the history of nations and of governments, we find a people who after having emancipated themselves from thralldom, peaceably assembling and from reflection and choice forming for themselves a Constitution and organizing a government. The great Charter of American liberty did not result from accident

or force, neither was it the offspring of oppression or fortunate circumstances. But it was the product of calm deliberation, mature reflection, pure patriotism, and the most exalted virtue. The Constitution of the United States recognises the inalienable rights of man. It not only declares him *capable* of self-government, but ordains that he *shall* govern. The powers of the government are divided into three great departments to wit: The Executive, Legislative and Judicial. The President of the United States constitutes the executive department. His duties mainly consist in carrying into effect all laws enacted by the proper authorities. The legislative department is composed of the Senate and House of Representatives. The Senators represent the States in their political capacity—the House of Representatives, the people. The Supreme Court constitutes the judicial department. Its duties consist in deciding upon all laws that are constitutionally submitted to it for its action. These three departments perform all the functions of a well regulated government. Whilst each moves in its own prescribed sphere, discharging the respective duties devolved upon it, it at the same time acts as a check upon the others. The President can prevent the passage of an improvident, unconstitutional, or oppressive law, unless two-thirds of both houses concur in its passage. If the executive and legislative departments should both unite in the passage of an unconstitutional law, the Supreme Court can arrest its action. If two-thirds of the Legislature should enact a law and the judiciary should affirm it (so far at least as regards penal statutes,) the President possesses the power of pardon, which enables him to protect the people from the oppressive action of laws thus enacted.

In addition to the above, this government is composed of twenty-six independent sovereignties, each perfect and supreme in its proper sphere of action. Each possesses an organization similar to that of the general government. It devolves upon the State governments to attend to all those duties which are of domestic concernment. The general government “regulates our intercourse with foreign nations, the

several States and the Indian tribes." Thus have we endeavored to exhibit in a form as condensed as possible, the substratum and superstructure of the political edifice, which is the offspring of the united wisdom and patriotism of the immortal sages of the Revolution. We will now institute a comparison between the two governments.

In England, originally, the King possessed the entire sovereignty. As in most other nations the people of Great Britain seemed disposed to yield to arbitrary power so long as it could be endured. But occasions occurred, when the sway of despotic power goaded the people to resistance. The King then fearing the consequences of a rebellion would yield to an emergency and make some small concessions to his subjects. The ridiculous idea of the divine right of Kings, together with the influence of priestcraft, no doubt tended greatly to perpetuate kingly power. In all the struggles in which the people of Great Britain engaged with their sovereigns, they appear never once to have *even* entertained the idea of a perfect independence. All they seem to have desired was a little relief from present burthens. After struggling with oppression and tyranny for eight hundred years; after numerous civil wars, revolutions and changes of dynasty; what are the actual privileges secured to the people by the British Constitution? Why the Crown possesses at this day almost uncontrolled and despotic power. The mass of the people have no agency in the administration of the government. If perchance the interests of the people should prevail in the House of Commons, and the voice of justice triumph; the crown can at any time arrest the passage of a law, prompted by such motives and tending to such results. It is true that the reform acts of the three kingdoms and the burgh reform act of Scotland, exhibit some disposition on the part of the crown and the nobles to yield to the demands of justice. This, however, did not result from any rights vested in the people by the Constitution, but was prompted by apprehension of danger to the government. It has been and frequently is urged as evidence of the perfection of the British government, that she is the most powerful

nation on the globe. That in the arts and sciences, in commerce, in wealth, and in the extent of her possessions, she surpasses every other nation. This may all be true and yet her people may be oppressed, and her government a despotism. Greece in her palmy days could boast as much, but what was the condition of the mass of her people. Notwithstanding her splendid edifices—her magnificent cities and temples, and her renowned philosophers, no security was afforded to either persons or property, and her citizens were common plunderers. Rome acquired her proud title of “mistress of the world” by rapine, cruelty and slaughter. And every nation whose object seemed to be the acquisition of wealth and the extension of territory, instead of seeking to secure the prosperity and happiness of the people, exhibits the same melancholy picture.

The physical resources of Great Britain are immense, and her moral resources would be unbounded if properly developed. But her devoted people are oppressed to the earth. Her privileged orders and national debt consume her substance and prostrate her energies. Titles of nobility and laws of primogeniture and entail, cannot consist with true freedom. Her splendid triumphs both on the ocean and on the land, may for the time flatter the vanity and gratify the pride of her people; but when the consequences of those achievements are seen and felt in increased taxation, and the degradation and more complete enslavement of the masses—their true position will be understood and appreciated.

The government of the United States, on the contrary, was established by the people for their security and prosperity alone. The preposterous doctrine of *jure divino*, or the divine right of kings, never entered into their vocabulary of prerogatives. The great fundamental principles put forth by the immortal men of '76 were, “That all men are created free and equal, that they are endowed by their Creator with certain inalienable rights, among which are life, liberty and the pursuit of happiness.” With a devoted patriotism, and a disinterested magnanimity that knows no parallel, they pledged “their lives, their fortunes, and their sacred honor,”

to defend and maintain those principles. After having (with the blessing of Heaven) nobly redeemed their pledge, they proceeded to embody those principles in the form of a constitution. And so far as the multifarious interests involved, and the peculiar situation of some of the States permitted, they succeeded.

We must here be permitted a short digression to remark upon the Declaration of Independence, and those immortal men who produced it. Fellow-citizens, you will search history in vain for a parallel to the Congress that assembled at Philadelphia in June, 1776. Greece had her Councils, and Rome her Senates, but with the aid of all their wisdom and philosophy they never exhibited such evidence of calm deliberation, profound sagacity, indomitable courage, and devoted patriotism, as the Declaration of Independence presents. When that paper was read in the British House of Lords, one of the most distinguished Peers of the realm thus addressed it: "When your lordships look at the papers transmitted to us from America; when you consider their decency, firmness, and wisdom; you cannot but respect their cause and wish to make it your own. For myself I must declare and avow, that in all my reading and observation—and it has been my favorite study—I have read Thucydides, and have studied and admired the master States of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances—no nation or body of men can stand in preference to the general Congress at Philadelphia. I think it is obvious to your lordships, that all attempts to impose upon such men, to establish despotism over such a mighty continental nation, must be in vain, must be fatal. We shall be forced ultimately to retract. Let us retract when we can, not when we must. I say we must necessarily undo these violent, oppressive acts. They *must* be repealed. You *will* repeal them. I stake my reputation on it; I will consent to be taken for an idiot if they are not repealed. Avoid then this humiliating this disgraceful necessity. With a dignity becoming your exalted situa-

tion, make the first advances to concord, to peace and to happiness." Such was the eulogium pronounced upon this great work of our fathers by the illustrious Chatham. I need not speak to you of its effects upon this continent.

Liberty unequalled, prosperity unbounded, and happiness unsurpassed, enjoyed by the sons and daughters of America for more than half a century, proclaim its wisdom, and commemorate its glory. Out of the fifty-six illustrious sages who signed that declaration, two resided in your own village. One was the distinguished President of your venerable and venerated Hall; the other the greatest jurist and forensic orator the State has ever produced. May that noble devotion to liberty which has indelibly engraven their names high upon their country's escutcheon, prompt their descendants and countrymen to emulate their glorious example.

The difficulty of combining the numerous sovereignties of which the United States were composed, into one central government for specified purposes, and yet to preserve their independent existence was a task of great difficulty. This difficulty was increased by the fact that history furnished no precedent as a guide. Montesquieu had written upon the subject, but he had merely stated general principles. The Grecian confederation had existed, but history was silent as to its particular structure. The Swiss cantons were connected only by alliances. The United Netherlands were simply an assemblage of societies, and the Germanic body a disproportioned and discordant structure of complexities and intricacies.

Under these great difficulties our Representative Republic was formed. For the people of the United States was reserved the glory and happiness of diffusing the representative principle through all the constituent parts of their government. This principle is recognised but in one feature of the British Constitution.

The King is an hereditary monarchy and rules by divine right, being altogether above and not amenable to the people. The Lords hold their titles and their prerogatives by the same right. Whatever tends to enlarge the liberties of the people,

encroaches upon and abridges the power and authority both of the King and Lords. The Commons is the only branch of the government which is at all connected with the people. It is the only department that recognizes the representative principle. It devolves upon the House of Commons to originate all bills for the support of government. This would appear to furnish some security against the encroachments of the crown and nobles. But experience has shown that whenever the influences of the crown and nobles have been exerted against the representative branch of the government they have succeeded. The champions of the people, who have from time to time appeared in the House of Commons, have lamentably verified the declaration of Sir Robert Walpole, "that every man has his price."

The great difference that exists between the governments we have been considering is this:—In the one, the King possesses the sovereign power with certain modifications. In the other, the people. In the former the King can do no wrong. In the latter, all the public agents are held to strict accountability. The great principles set forth in the Declaration of Independence, embodied in the Constitution, and avowed by the most distinguished of the land, are, that the largest liberty consistent with proper security should be enjoyed by the *whole* people: that government should exert no more restraints upon the citizen than are *absolutely* necessary to secure the public interests: that in regard to the enjoyment of political rights every citizen should be equal. It follows as a necessary consequence, that all acts of the government that go to abridge the constitutional rights of the citizen, or create distinctions in the community, of whatever character they may be, are a violation of the compact, and subversive of the benevolent and patriotic design of those who formed it. The pages of history do not furnish an example of a nation like ours springing into being as it were in a day; for half a century, considered in connection with the lifetime of an empire is but a day.

Since the establishment of our national independence,

(which astonished the world and erected upon these shores the beacon light of liberty, which created in these western wilds an asylum for the oppressed of every land)—what astonishing advances have we made to empire. At the birthday of our nation we had thirteen States and about three millions of people. We have now ~~about~~ twenty-six independent sovereignties, and nearly eighteen millions of inhabitants. The forests of the west are giving place to improvements that astonish the beholder. Our immense prairies have been converted into luxuriant fields. Our noble rivers are covered with steam vessels, conveying the wealth of our people to distant places. The “star-spangled banner” floats in every breeze, affording protection to our citizens throughout the world, and exhibiting to all both the extent of our resources and our power. The rapid advances we as a nation have made to power, wealth and greatness, result not from our conquests. Our government is essentially pacific. Its policy peaceful. All the prosperity and happiness that we as a people have enjoyed, and all the glory that appertains to us as a nation, result from the liberal and benignant character of our institutions. Our government was not designed to be exclusive in its operation and effects. The spirit that actuated our patriot fathers was a spirit of universal liberty. Neither was our constitution designed to diffuse its blessings alone among those who were at the *time of its adoption* admitted to be citizens. The oppressed of every land were invited hither to enjoy the delicious fruits of the tree of liberty which had been planted by our pilgrim fathers, and was nurtured and protected by the blood and valor of our revolutionary sires.

The Constitution confers upon Congress the power “to establish a uniform rule of naturalization,” thus not only recognizing the principle above referred to, but making express provision for carrying it into effect. That principle has been acted on ever since the adoption of the Constitution. The records of some of our deliberative assemblies, even before the Declaration of Independence, exhibit the anxious regard entertained by our forefathers for the oppressed of other coun-

tries. The Continental Congress which assembled at Philadelphia in May, 1775, adopted an address to the people of Ireland, of which the following is an extract, to wit: "Permit us to assure you, that it was with the utmost reluctance we could prevail upon ourselves to cease our commercial connection with your island. Your Parliament had done us no wrong. You had ever been friendly to the rights of mankind, and we acknowledge with pleasure and gratitude that your nation has produced patriots who have nobly distinguished themselves in the cause of humanity and America. It gave us, however, some consolation to reflect, that should it occasion you much distress, the fertile regions of America would afford you a safe asylum from poverty, and in time from oppression also. An asylum in which thousands of your countrymen have found hospitality, peace and affluence, and become united to us by all the ties of consanguinity, mutual interests and affection."

It was by the adoption and pursuit of the principles indicated in the foregoing remarks, that this country has risen with such unparalleled rapidity to the high distinction it now occupies among the nations of the earth. We should regard with sacred veneration this noble edifice whose dimensions are sufficiently capacious to embrace the liberal minded and patriotic of every land. In this great achievement of our fathers, we see illustrated that expansive principle of benevolence which is the glory of our nature; that great sympathy of feeling which endears man to man throughout the world, which is sensitively alive to suffering humanity wherever it exists, and seeks to ameliorate its condition. "It is the language which enrols in its calendar the fields of Marathon and the straits of Thermopylae, and uttering with deep emotion the names of Kosciusko and Montgomery, points to the fields of Warsaw and the walls of Quebec. It gave decision to Washington in his retreat through the Jerseys. It made him the admiration of the world and the envy of tyrants on the banks of the Potomac. It cherished the noble spirit of La Fayette in the dungeon of Olmutz, and provides him a monument of glory in the united affections of France and America,

and it hangs with tremulous emotion over the suffering population of the Emerald Isle.”

May we not hope that the same spirit exists in full vigor in the hearts of their descendants. That whilst we are prepared to make any sacrifice to preserve *our* liberties, we are likewise prepared to *aid the struggling patriot wherever found*. Our fathers lamented the necessity that compelled them to cease their commercial intercourse with Ireland. They however extended to Irishmen the cordial grasp of friendship, and a heart warmed into affection by the exhibition of their virtues and their valor. Greece when suffering under the iron hand of tyranny, received the sympathies and aid of our countrymen. The priest-ridden South American was encouraged to struggle on in the great cause of human liberty, by the sympathy which their noble efforts had roused in the hearts of our people. And shall we refuse that to Ireland which all others have enjoyed. To Greece we are indebted (with all the world) for those noble examples of constancy, devotion, and self-sacrifice to liberty, which the history of her Patriots present; for the profound lessons of wisdom taught by her Philosophers, and for the glowing and unequalled strains of her Poets. But Ireland fought for us. Her Patriots have bled for us. The blood of Montgomery was mingled with that of La Fayette, Pulaski and Warren, in the struggle for our independence. Her sons pressed forward with ours in the thickest of the fight. They rejoiced when we were victorious; they sympathized in our defeat, and they are entitled to enjoy the blessings secured by our common inheritance. The spirit of sympathy and liberality spontaneously exhibiting itself for oppressed and persecuted Ireland throughout the land, accords with the character of our institutions and the obligations of gratitude. Whenever our people become indifferent to the cause of suffering patriots, it will be a portentous omen to liberty. We have another instance at hand of the prevalence of that spirit which achieved our independence. We allude to the recent commemoration of the battle of Bunker Hill. The achievements of Napoleon Bonaparte will not compare in their effects with that single battle. The former

conquered nations and empires, set up thrones and kingdoms, slaughtered millions, and then died leaving a world in mourning. The blood shed at Bunker Hill fired the souls and nerved the arms of the patriot sons of the colonies. The thousand British regulars slain by the yeomanry of New England, taught their enemies what freemen could accomplish in defence of their liberties. It united the purposes of the colonists, and prompted to the adoption of the Declaration of Independence, which resulted in our complete emancipation from British thralldom. Such an event was worthy to be commemorated by a grateful people. Who will despair of our liberties, after the patriotic and sublime exhibition at Bunker Hill. All selfish and party considerations were wholly merged in the one great desire to honor the event commemorated, and those whose valor achieved it. Thanks be to God that such a spirit yet lives and predominates in the hearts of our countrymen. Woe be to him who would suppress its action or oppose its influence. It is the life-giving principle of our Republic. It is the great panacea for all our political ills. So long as it continues to flourish, our glorious inheritance is secure; Liberty will be perpetuated and the world eventually emancipated.